



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 22, 2015

BY HAND & ECF

The Honorable William H. Pauley, III
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: United States v. James Capers et al.,
15 Cr. 607 (WHP)**

Dear Judge Pauley:

We write to inform the Court and defense counsel that the Government will not seek the death penalty against James Capers in connection with the July 7, 2015 murder of Allen McQueen.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: Jessica Lonergan
Jessica Lonergan
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cc: All defense counsel (by ECF)